

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Norfolk Division

PAUL WAYNE BAGLEY,

Petitioner,

v.

CHADWICK DOTSON, *Director of  
Virginia Department of Corrections,*

Defendant.

Case No. 2:23-cv-210

**ORDER**

Petitioner Paul Wayne Baley seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his 2015 convictions in the Circuit Court for Prince Edward County, Virginia for rape, forcible sodomy, carnal knowledge of a minor, three counts of indecent liberties, and two counts of animate object penetration. Respondent Chadwick Dotson, Director of the Virginia Department of Corrections, moved to dismiss the petition pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) and E.D. Va. Loc. R. 72. ECF No. 16.

Before the Court is an unopposed Report and Recommendation, in which the Honorable Robert J. Krask, United States Magistrate Judge concluded that the respondent's motion to dismiss should be granted, and this matter should be dismissed with prejudice. ECF No. 21.

Judge Krask advised the parties of their rights to object to his findings and recommendations and explained that failure to timely objection would result in a

waiver of appeal from a judgment of this Court based on such findings and recommendations. ECF No. 21 at 30–31 (citing *Thomas v. Arn*, 474 U.S. 140 (1985); *Carr v. Hutto*, 737 F.2d 433 (4th Cir. 1984); *United States v. Schronce*, 727 F. 2d 91 (4th Cir. 1984)). The time to file an objection has expired, and neither party objected to the Report and Recommendation.

In the absence of a specific written objection, this Court may adopt a Magistrate Judge’s recommendations without conducting a *de novo* review, unless the recommendations are clearly erroneous or contrary to law. *See* Fed. R. Civ. P. 72(b)(2); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir.1982) (citations omitted); *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005).

The Court has reviewed Judge Krask’s findings and recommendations and found no clear error. Accordingly, the Report and Recommendation (ECF No. 21) is **ADOPTED**.

The respondent’s Motion to Dismiss (ECF No. 16) is **GRANTED**.

This action is **DISMISSED WITH PREJUDICE**.

The Clerk is **DIRECTED** to send a copy of this Order to all counsel of record.

**IT IS SO ORDERED.**



/s/

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Jamar K. Walker  
United States District Judge

Norfolk, Virginia  
March 21, 2024